

West Area Planning Committee

8th May 2013

Application Number: 13/00217/VAR

Decision Due by: 29th April 2013

Proposal: Variation of conditions 2 (develop according to approved plans) and 3 (option for development of lift and stair access) relating to planning permission 12/00239/FUL for: 'Refurbishment of eastern block of student accommodation including re-cladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to central car parking area to create landscaped garden, plus creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve Lodge.' (Amended plans) (Amended description). Variation of conditions sought in order to accommodate the selected option of development and subsequently build to approved plans. To include the energy centre within the building on the fourth floor of the East Block. (amended letter) (Amended Plans)(Amended Description)(Additional Information)

Site Address: Summertown House Apsley Road (site plan at **Appendix 1**)

Ward: Summertown Ward

Agent: Ferax Planning

Applicant: The University Of Oxford

Application Called in – by Councillors – McCreedy, Fooks, Jones and Brett for the following reasons – neighbour concerns in particular regarding the energy centre

Recommendation: Approve planning permission

For the following reasons:

- 1 The principle of the refurbishment and alterations to the building has already been established under the granting of planning permission 12/00239/FUL. The amendments to the scheme will not alter the overriding aim of the scheme which is to improve the appearance of the existing building and internal accommodation. The relocation of the energy centre/plant room to inside the building will not have a detrimental impact in terms of noise/emission on the surrounding area and will have limited impact in terms of the increase in height.

- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Revised landscape plan
- 5 Tree Protection Plan (TPP)
- 6 Arboricultural Method Statement (AMS)
- 7 Recommendations ecological survey
- 8 Cycle parking details required
- 9 Target Hardening measures cycle parking
- 10 SUDS
- 11 Construction Travel Plan
- 12 Travel Plan Statement/Travel Statement
- 13 Details of Gates
- 14 Internal noise levels
- 15 External noise levels
- 16 Mechanical ventilation

Main Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP21** - Noise
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- HE3** - Listed Buildings and Their Setting

Core Strategy

- CS9_** - Energy and natural resources

CS12_ - Biodiversity
CS18_ - Urban design, town character, historic environment
CS25_ - Student accommodation
CS29_ - The universities

Sites and Housing Plan

HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation
HP9_ - Design, Character and Context
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking
SP53_ - Summertown House, Apsley Road

Other Material Considerations:

National Planning Policy Framework (NPPF)

Relevant Site History:

- 99/01619/NF - Timber multi activity play building/climbing frame for children at Summertown House and attending nursery on site. Permitted 21st December 1999.
- 08/02393/LBC - Listed Building Consent for internal works to convert two ground floor rooms into 2 self-contained flats with shared bathroom facilities. Permitted 2nd April 2009.
- 0/00789/NF - Refurbishment of 133 flats to include removal of external cladding, infilling of balconies & structural repairs. Overcladding in insulated render & new metal roof. Demolition of 5 car points to rear & construct single storey building. Permitted 8th August 2001.
- 12/00239/FUL - Refurbishment of eastern block of student accommodation including recladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to central car parking area to create landscaped garden, plus creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve Lodge. (Amended plans) (Amended description). PER 17th May 2012.

Representations Received:

371 Banbury Road: Energy Centre to be located on the 4th and 5th (new) floor; this will be an industrial type facility located in a residential block in a residential area; will overshadow 371 Banbury Road; will significantly reduce the amenity of at least 371 377 Banbury Road; there will be additional noise, additional nitrogen dioxide emissions, loss of light to gardens; anxiety at having an industrial type facility, so close to residencies; not considered fully the alternative of individual boilers in each flat; energy centre will require specialist support and maintenance 24/7; not found

any examples of CHP units and associated plant rooms being installed in a residential block in a residential area; consider again alternative sites within the boundaries of Summertown House and ones that have less negative impacts on neighbours; support the refurbishment of the East Block, the proposed energy conservation measures in each flat, the switch from electric heating to gas based heating and the objective of a significant reduction in carbon dioxide emissions; can be achieved without the proposed Energy Centre; no site plan showing new houses; proposed that a further noise survey is undertaken over a 24/7 period at a location 1m from the master bedroom window on the 1st floor of the west side of 371;

375 Banbury Road: Support the refurbishment of Summertown House but not the positioning of the energy centre (plant room) on the 5th floor; no clear rationale for its proposed location; only logical explanation is to placate and avoid the original objectors; industrial type plant room which is inappropriate to incorporate into the top floor of a residential building in a residential neighbourhood; no other type can be found like this; negative visual impact from raising the roofline; noise and exhaust fumes a major concern; potentially harmful and toxic omissions; CHP generate liquid effluents which are a potential hazard in the event of an accidental discharge; rare but most common accident risks in operating CHP plant is fire or explosion from un-burnt exhaust gas; CHP plant may be low carbon but it is not renewable;

Statutory and Internal Consultees:

Oxfordshire County Council Drainage Team: expect the cycle store and car port to drain using SUDs techniques to the new landscape gardens (swale, pond or filter trench for example).

Environmental Development: See text to report.

Determining Issues:

- Revised plans
- Noise/Emissions
- Other

Officers Assessment:

Site Description

1. The application site lies to the north of Summertown on the northern side of Apsley Road with the largest block of accommodation fronting onto Banbury Road. The main access to the site is from two vehicular access points off Apsley Road. The site comprises the original Summertown House, which is a listed building situated centrally to the site, and three large 1960s blocks of post graduate student accommodation which surround it. A single storey building has been added to the rear of the listed house and is used as a day nursery operated by the University.

Background

2. Planning permission was granted in May 2012 under reference 12/00239/FUL for the refurbishment of eastern block of student accommodation including recladding of all elevations, internal alterations to stairs, lifts and student flats to create 5 additional residential units. Alterations to the central car parking area were also involved to create landscaped garden, plus the creation of covered cycle store for additional 84 cycles to rear of site, and new car port and store to serve the Lodge. The officers' previous report to committee is attached as **Appendix 2** for ease of reference.
3. The original submission of 12/00239/FUL included an energy centre which was located along the northern boundary abutting the rear boundaries of properties fronting Upland Park Road. As a result of objections the energy centre was omitted from the application and approved at West Area Planning Committee.
4. Two variations of the refurbishment proposals had been presented in the previous planning application which showed alternative arrangements relating to the position of the main lift and stairs and how these appear on the main elevation. The selection of which option is implemented was dependant on viability when the tendering process for the refurbishment work is complete. A condition was added (condition 3) to confirm which scheme was to be implemented. The condition reads:

Prior to the commencement of development or such other timescale as previously agreed in writing by the Local Planning Authority it shall be agreed which option for development relating to the detailing of the lift and stair access is to be implemented. There shall be no variation to these details without the further prior approval of the Local Planning Authority.

Reason: To avoid doubt and in the interest of visual amenity in accordance with policy CS18 of the Oxford Core Strategy 2026 and CP1, CP6, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016

Proposal

5. Various changes have been made to the approved scheme in order to accommodate the selected option referred to in condition 3. The chosen option is essentially option 2 but retains the south stair which was not originally part of option 2. As a result this application also seeks to vary condition 2 of 12/00239/FUL which states:

The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as

indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

6. A summary of the changes/approvals sought are as follows:
 - Confirmation of Lift & Stair Arrangements (condition 3) as:
 - North Core: Remove existing stair & replace with new lift and stair (as submitted option 2)
 - East Core: Remove existing lift & replace with new stair (as submitted option 2)
 - South Core: Retain and refurbish existing stair (not as submitted option 2 - hence need to vary condition)
 - Revised elevations to reflect final arrangement of plant room on top floor of north end of the block.
 - Facade design development generally reflecting the use of self-supporting fusion panels in lieu of replacement exposed concrete facade support beams as per the originally submitted scheme.
7. The revised drawings show an amendment to the roof height to accommodate the location of the energy centre and associated plant. The energy centre/plant room has been positioned on the existing 4/5th floor of the building at the north end of the East Block. This will result in the loss of two student rooms. The energy centre/plant room would include 4 gas fired boilers and a small combined heat and power (CHP) unit along with heating water storage vessels.

Assessment

Revised Plans

8. The principle of refurbishment and alterations to the building has already been established under the granting of planning permission 12/00239/FUL. Under consideration now are the amendments sought to the scheme and option 2. It must be noted that if there were no external alterations the energy centre/plant room would not require consent as it would constitute internal alterations.
9. As part of the 12/00239/FUL application two options were presented. It was considered in both options the refurbishment and alterations could only be seen as an overall improvement in access terms as well as enhancing the Banbury Road elevation and street scene. Both options in relation to the lift / stairs had their advantages and neither would have been detrimental to the overall elevation fronting Banbury Road. Therefore the final choice of option 2 is welcomed.
10. Some changes to option two are proposed notably retaining and refurbishing

an existing stair which is located on the south elevation. There are changes to the glazing to the stair and the entrance is retained as on option 2. The stairs currently exist and there is no objection to their retention.

11. The energy centre/plant room will add some additional height to the roof at the northern end when compared to the approved scheme.
12. The north elevation is 8m from the common boundary with 371 Banbury Road. When viewed from the gardens of the new properties to the north and in particular 371 Banbury Road, the alterations at roof level would appear as a protrusion at one end on the roof. It is acknowledged that the additional floor will have some impact when viewed from or neighbouring properties to the north, but less so from Banbury Road as it is drawn away from the eastern side of the building. Overall it is considered that the additional building work at this height compared to that previously approved would not have such an impact as to warrant refusal of planning permission
13. As part of the approved application it is proposed to replace the concrete tiles with a modern terracotta rainscreen cladding system and the existing dark stained external joinery by composite timber and aluminium windows and glazing systems. There would therefore be a significant improvement in other terms to the appearance of the north elevation when viewed from the rear gardens of the neighbouring properties. 14. Nor would the addition to the roof harm the outlook from the windows and conservatory at 371 Banbury Road as they are on the rear elevation which face down the garden. There are no windows in the side elevation.
15. The other significant changes are to the elevational treatment and in particular to the northern end of the east elevation where the windows have been reduced in number and none appear on the fifth floor due to the energy centre/plant room. The windows here still continue the horizontal rhythm of the rest of the elevation, though the uppermost section which is currently blank would be broken up with louvres. The changes are still seen as an improvement on the current building and therefore are considered acceptable.

Noise/Emissions

16. Environmental Development Officers have reviewed the noise report originally supplied by Hoare Lea and do not challenge the findings provided that the plant installed meets the noise criteria specified in the report. The criteria specified does not mean that the plant would be entirely inaudible, but that it will be at a level sufficiently below the current noise in the area that it would not cause offence.
17. Environmental Development Officers have also looked at the supplementary documents submitted, especially the ones regarding the noise. They indicate no reason to change their original opinion, that is to say that provided that the plant meets the noise levels specified then there would be little likelihood of complaint. In any event should noise levels exceed those stipulated or become a nuisance there is separate legislation in place outside

of the planning system to address concerns.

18. In addition Environmental Development Officers do not consider that emissions to atmosphere from the proposed plant would impact the local air quality to any great degree such as to warrant refusal of planning permission.

Conclusion:

20. Committee is recommended to support the changes and the choice of option 2.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

12/00239/FUL

Contact Officer: Lisa Green

Extension: 2614

Date: 25th April 2013